



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

7

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,156	07/17/2000	Darrell Metcalf		8276

7590  
Darrell Metcalf  
905 N Oak Avenue  
Fillmore, CA 93015

EXAMINER

MOONEYHAM, JANICE A

ART UNIT	PAPER NUMBER
----------	--------------

3629

MAIL DATE	DELIVERY MODE
-----------	---------------

08/21/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09617156	7/17/00	METCALF, DARRELL	

Darrell Metcalf  
905 N Oak Avenue  
Fillmore, CA 93015

**EXAMINER**

Janice A.. Mooneyham

ART UNIT	PAPER
3629	20070813

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

See attached.

Applicant's response of May 21, 2007 is found to be non-responsive. Applicant has canceled the previously pending claims and added new claims 129-245. 37 CFR 1.111 requires applicant to specifically point out "*the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references*". Applicant needs to discuss why the claims are believed to be patentable over the prior art that was applied in the last office action. This has not been done. Applicant simply states that the cited art does not appear to teach or suggest the combination of features. Applicant has not discussed any of the claims and has not discussed any of the claim limitations with respect to the applied prior art. What is it in the claims that applicant believes renders them patentable? Applicant canceled all previously pending claims but has failed to point out why the newly added claims are believed to be patentable over the applied prior art. A discussion of the claims, the claim limitations, and why they are considered patentable over the applied prior art is required.

The Examiner notes that the applicant has made no statement that no new matter has been added to the claims although claims 129-245 are all newly added claims. Upon a cursory review of these claims, it appears that many of the limitations contain new matter or are directed to aspects of the invention that are not part of the specification as originally filed. The Examiner requests that the applicant direct the Examiner to where there is support for the newly added claim limitations in the specification as originally filed.

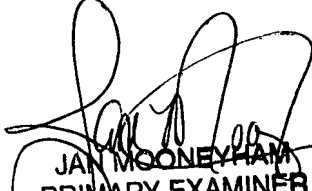
Failure to remedy the above deficiencies will result in abandonment of the application. Two notices of non-responsive will not be sent.

Since the above mentioned response appears to be a bona fide attempt to reply, applicant is given a time period of ONE MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF TIME ARE AVAILABLE UNDER 37 CFR 1.136(a). Failure to correct the above noted deficiencies in the next response will result in the abandonment of the application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
JAN MOONEYHAM  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600